

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO.460 OF 2003

The Commissioner of Income Tax,
Mumbai City 18, Mumbai.

.. Appellant

v/s.

Shri Dias Anthony

.. Respondent

Mr.R.Asokan i/by Mr.T.C.Kaushik for appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 18th October, 2004

P.C.

The issue raised in the present appeal is covered by the Division Bench judgment of this court in the case of Cadell Weaving Mill Co.P.Ltd. v. Commissioner of Income Tax and anr., 249 ITR 265.

2. However, the learned counsel for the revenue submits that the said judgment is under challenge before the Supreme Court.

3. Even if that be so, in so far as we are concerned, the controversy stands concluded by the Division Bench judgment of this court.

4. No substantial question of law arises. Appeal is dismissed in limine.

(R.M.LODHA, J.)

